

REMARKS

This Amendment and Response is being submitted in response to the Office Action mailed August 8, 2005. Claim 1-27 are pending in the application.

Claim 1 stands provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of co-pending Application No. 10/803,690. Claims 1-21 stand rejected under 35 U.S.C. 102(a) as being allegedly anticipated by U.S. 5,682,519 to Saldanha, *et al.* (hereinafter “Saldanha”). Claims 22-27 stand rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Saldanha in view of U.S. 6,385,757 to Gupta (hereinafter “Gupta”). Applicant respectfully traverses the Examiner’s rejections.

In the amendment above, Applicant has amended claim 1 and cancelled claims 28-45. No new matter is added by these amendments and support for these amendments may be found in the specification and claims as originally filed. Reconsideration of the claims is respectfully requested in view of the amendments above and remarks below.

I. Claims 28-45

Claims 28-45 were previously withdrawn in response to a restriction requirement. Applicant has cancelled claims 28-45 in the amendment above but reserves the right to pursue the subject matter of claims 28-45 in a divisional application.

II. Previous IDS

The Office Action points out that the Form 1449 submitted with the application was blank and that this may have been an oversight. Applicant appreciates the Examiner making note of this, and Applicant has filed another IDS with this response.

III. Double Patenting

Claim 1 stands provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of co-pending Application No. 10/803,690. Applicant will submit a terminal disclaimer once the

Examiner indicates that the claims are allowable if the double-patenting rejection is maintained.

IV. Claims 1-21

Claims 1-21 stand rejected under 35 U.S.C. 102(a) as being allegedly anticipated by Saldanha. In order to anticipate a claim under 35 U.S.C. 102(a), a reference must teach every element of the claim. See M.P.E.P. § 2131. Respectfully, Saldanha does not teach every element of claim 1.

In claim 1, as amended, Applicant claims “[a] processor comprising: a Boolean logic unit, wherein the Boolean logic unit is operable for dynamically performing the short-circuit evaluation of Conjunctive Normal Form Boolean expressions/operations.” Saldanha does not teach “[a] processor comprising: a Boolean logic unit, wherein the Boolean logic unit is operable for dynamically performing the short-circuit evaluation of Conjunctive Normal Form Boolean expressions/operations.”

Saldanha teaches building a circuit to physically represent a particular Boolean expression. Certain portions of the circuit are omitted to save power if they do not affect the result. The circuit is unable to “dynamically perform the short-circuit evaluation of Conjunctive Normal Form Boolean expressions/operations.”

Thus Saldanha does not anticipate claim 1. Claims 2-21 depend from claim 1 and are allowable for at least the same reasons. Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-21.

V. Claims 22-27

Claims 22-27 stand rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Saldanha in view of Gupta. To establish a *prima facie* case of obviousness, the prior art references when combined must teach or suggest all of the claim limitations. Respectfully, neither Saldanha nor Gupta alone or when combined teaches or suggests all the claim limitations of claims 22-27.

Claims 22-27 depend from claim 1. In claim 1, as amended, Applicant claims “[a] processor comprising: a Boolean logic unit, wherein the Boolean logic unit is

operable for dynamically performing the short-circuit evaluation of Conjunctive Normal Form Boolean expressions/operations.” Neither Saldanha nor Gupta alone or when combined teaches or suggests “[a] processor comprising: a Boolean logic unit, wherein the Boolean logic unit is operable for dynamically performing the short-circuit evaluation of Conjunctive Normal Form Boolean expressions/operations.” Thus claim 1 is allowable over Saldanha in view of Gupta. Since claims 22-27 depend from claim 1, claims 22-27 are allowable as well. Applicant respectfully requests the Examiner withdraw the rejection of claims 22-27.

VI. Prior Art Made of Record and Not Relied Upon

On page 6, the Office Action lists a reference that is listed on the attached Notice of References Cited but was not made of record and not relied upon. Applicant respectfully traverses the relevance of this reference as prior art or otherwise. Applicant respectfully reserves the right to present such arguments and other material should the Examiner maintain rejection of Applicant’s claims based upon the reference made of record and not relied upon or otherwise.

VII. Conclusion

Applicants respectfully submit that claims 1-27 are allowable. A favorable Office Action is respectfully solicited.

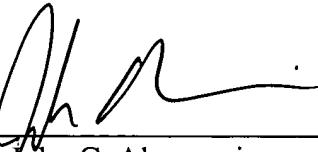
Application No. 10/075,917
Filed: February 13, 2002

Express Mail No. EV 316 333 273 US
Attorney Docket No. 46872/569148
PATENT

Should the Examiner have any comments, questions or suggestions of a nature necessary to expedite the prosecution of the application, or to place the case in condition for allowance, the Examiner is courteously requested to telephone the undersigned at the number listed below.

Respectfully submitted,

Date: October 28, 2005

By: 
John C. Alemanni
Reg. No. 47,384

KILPATRICK STOCKTON LLP
1001 West Fourth Street
Winston-Salem, North Carolina 27101-2400
Telephone: (336) 607-7311
Facsimile: (336) 734-2621